POLICE BILLS AMENDED.

THE MAJORITY MAKE CONCES-SIONS TO SECURE FORES.

Lexow Offers the Amendments, Which Strike Out the Elective Provision and Give Power to the Mayor to Appelat the Police Commissioners Accused Policemen to Have the Right to Re Represeated by Counsel When on Trial, and Also the Right of Appeal-The Bills to Come Up Again on Wednesday Next-The Tenement House Bills Passed in the Senate-Alusworth's Local Option Taxation Bill Defeated in the Assembly.

ALBANY, March 28. The long-looked-forward to day in court of the so-called Lexow Po lice bills was had in the Senate to-day. Like most things with which anticipation has had so much to do, the occasion proved disappointing. The crowd that had been attracted, among whem the array of ladies was notable, would on a hit or miss visit often stumble upon a more interesting and exciting session. Noticeable in the crowded chamber, and apparently quite as much bored as any one, were the members of the New York Aldermanic Committee, who, with President Jeroloman, are anxious to do their share in making an impression on the leg-

Senator Lexow's rising was the signal that the trouble was about to begin. He offered an amendment to the Police Board bill, sometimes known as the non-partisan police bill. The amendment eliminated the elective feature from the measure, provided for six-year terms, and gave the power of appointment to the Mayor for full terms and vacancies.

speaking to the amendment, the Senator let fall an intimation which told the initiated and experienced that the day was not to prove a memorable one in the annals of legislative combats. It was a suggestion that he would leave the general discussion of the subjects treated of in the proposed bills until they were on the order of third reading. He then read some newspaper reports of interviews with Mayor Strong in support of the assertion that the amendments were favored by that official, He also explained that their adoption would put the bills back in the shape that the committee had them in month ago, the change in the mean time having been the result of an endeavor to meet the views of some Senators who believed that they were in accord with public sentiment on these ques tions. The Senators referred to represented rural communities, and were probably correct is their opinion of the sentiment in those com munities. Senator Lexow, however, was of the epinion that the sentiment of the people "south of the Harlem" was in a different line and was met by the restoration of the appointive feature "Here's richness," cried old Squeers, as he purveyed the semblance of milk to the unfortunates at Dotheboy's Hall, and "here's richness'

fers to in accents of mystery as "south of the Mr. Lexow's deduction from his readings and his vaunted knowledge of affairs "south of the Harlem" led him to the conclusion that threequarters of the Republicans and a majority of the citizens there were in favor of the bi-par tisan feature which was the subject of the

was an appropriate expression at the sight of

Lexow talking about rural constituencies while

he informed his hearers of the condition of pub-lic sentiment in the region which he always re-

"And that," said he in the manner which he deems impressive, "is the answer we as Reput licans send down to the gentlemen who met in

mass meeting down there last night." He further said that he was assured that Mayor Strong had no objection to the bi-partisan

Senator Guy wanted to know whether the Maror had told him so, and asked why the Sen-stordid not go to the Mayor and find out, so that there could be no mistake as to his views Senator Guy also tried to get a rise out of one of the emissacies to New York the other night he siking whether any Senator on the floor could give the House an assurance from the Mayor that was received from him directly. Senators Mullin and Higgins were silent, and the effort

Senator Cantor told Senator Lexow and the Senate that he had read an interview with Mayor Strong that gave an entirely different idea of his opinions, an idea that varied so materially from the one read by the Senator to them that it would be well not to take that as authorized. Senator Cantor understood the Mayor's position to be in favor of the bi-partisan bill, because he felt it to be impossible to get from a Republican Legislature a single-headed Commission, and was moved, therefore, to take the best that he could get. "It is a fact,"

headed Commission, and was moved, therefore, to take the best that he could get. "It is a fact," continued Senator Cantor, "that the city of New York cannot get what she wants. The public opinion there is defined by this Legislature. The leaders of the majority have stated here that no attention will be paid to the expressions of public opinion there."

Senator Cantor went on to say that the Mayor was wrong in being so ready to accept what little he could get now. He was wrong in allowing that attitude of his to be used to influence votes in the Senate chamber. The Senator believed that the Mayor, by standing firmly upon his belief in a single head for the Police Department, could in time evoke a response from the Legislature. There were men in the majority, he was sure, who would favor that principle if the Mayor would stand firmly for it.

Senator Lexow interrupted to ask if the Senator would pletge himself and the minority to yet in favor of such a measure.

Senator Lexow interrupted to ask if the Senator would pletige himself and the minority to vote in favor of such a measure.

Senator Cantor replied that it was impossible to pletige the members of the minority, as they were not ruled by caucus as the Republicans were, and were free to vote according to their own judgment and not at the dictation of any individual. He took advantage of this occasion to deny the published stories that there was any possibility of any Democratic votes being secured for the pending measures unamended. There could be no such thing as a Tammany-Platt deal to that effect, he said. Then for bimiself he answered Lexow that he would be laid to vote for such a bill as he was questioned about. He concluded by saying: "There is only one measure that will give the people of New York relief from the evils they have suffered, and that is a single-headed police bill. The bi-partisan plan recognizes politics and partisanship and encourages them."

Senator Kilburn rose to say that he was one of the first to propose the elective feature, which was about to be eliminated and whose constitutionality had been to strongly attacked. A chorus of assent ran around the circle, and one senator with considerable feeling said, "Yes; You caused the whole trouble." Some such conviction must have been in the Senator's own bind, for he went on in a rambiling way to say

Senator with considerable feeling said, "Yes; You caused the whole trouble." Some such conviction must have been in the Senator's own mind, for he went on in a rambling way to say things over and over again, some of which had some remote bearing on the subject, but most of which had not. He aroused an unmistakable interest when he said that ex-Senator l'latt was among the distinguished mes whom he had consulted in the effort to ealighton his darkest Franklin county intelligence on the subject. Leader O'Connor's face took on a troubled look, and everbody else frinned as the Malone statesman stumbled along and justified much of what has been said about the influence of stronger minds upon the alleged Senators from up-country. He thought he was doing a clever thing, because he reported back as coming from the lips of the cx-Senator, as an explanation of his opposition to the elective feature, that he did not think the Mayor would approve of it.

"Senator Cantor took immediate advantage of the opening thus given to him and asked whether the distinguished ex-Senator was in layer of the amendment. Some one must have the just had sense chough to say that he would not state anything more about the attitude of ex-Senator l'latt, as he had told all that he know. Among the things that Mr. Platt ought to amend into his evening prayer is "Save me from my Franklin county friend."

Senator Kilburn went on to say that he was intended in the list evening prayer is "Save me from my Franklin county friend."

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Senator Kilburn went on to say that he was interested in getting absolute non-partisan election machinery control in New York, as the votesthere often decided questions that were of consequence in all the State. He wanted to be sure that there would be no fraudulent election practices down thore which they would have to make up in the country with honest votes. Then has seemed to realize that he had committed himself to more than he could stand for, and he added. "Or other votes, if you please." Again an expression of pain was visible on the face of the sader on the majority side.

Jen. McMahon's ire was evidently stirred by the blundering attack of Kilburn on the election system of New York and the influence of the police upon it. He ignored the assuaging fact that Kilburn had kicked over his own pail of milk, and addressed himself to the general subject of the remarkable speech he had just heard, as though it amounted to something. He said:

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heard, as though it amounted to something. He said:

The gentleman's speech is almost an able and conclusive argument in favor of the bill of the Committee of Ten. Aside from that the gentleman has been picased to denounce as conspicuously fraudulent the elections in New York city. There is no evidence of this in the records of any court or any proceeding whatever. I say an evidence with the full knowledge of what has been said in a certain stump speech of the benator from Rockland (Lexow) long before his

investigating committee was ever heard of, and which we have heard in this chamber so many times since. I have had a great deal of experience with the police of New York in connection with the elections. I have had the experience of a candidate many times. I have had experience as a private citizen and individual voter, and I served four years in a position where I had an official supervision over election matters. The police do not and did not interfere in any way with the legitimate conduct of all of the affairs of the election. The charge that they do or did is not founded on fact, I say more, the elections in New York city for many years have been more honest than in any other place in the United States."

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The General courteously gave way several times to permit of questions being put to him. He was well grounded in information on the phase of the subject he had brought up and answered them easily. Among the man who interrupted him was kilburn, who followed him with another speech, during which, to the surprise of both sides of the chamber, he refused to give way for a question to Gen. McMahon, who had but a moment before accorded him that courtesy.

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Senator Guy followed with a little speech on the general attitude of the majority of indifference to the wishes of the people. He attributed their present spirit to the effect of their consideration of the record that they have already made, and pictured them as made reckless by retrospection and rushing on to ruin. He made a few observations on the still, small voice of control that sounded from ex-Senator Platt also.

Senator Coggeshall made this the text of some

Senator Coggeshall made this the text of some Senator Coggeshall made this the text of some remarks that would almost serve to obliterate the impression of Senator Kilburn's ridiculousness. He abased himself into an attitude of Platt idolatry that would disgust no one more than the unfortunate object of his attentions. He declared that Senator Guy was not worthy to loose the latchet of that man's shoes, and exhausted superlatives in telling his great superiority, mentally, morally, and every other way, to the amused Guy. The Senate was also amused and amazed. Senator Coggeshall also undertook to differentiate between public sentiment and public clamor, and to deride self-constituted committees of assumed representative character, as well as to ridicule government by mass meeting.

On the roll call Senator Cantor, law book in

ment and public clamor, and to deride self-constituted committees of assumed representative character, as well as to ridicule government by mass meeting.

On the roll call Senator Cantor, law book in hand, called attention to the fact that the existing law is exactly in line with the amendment proposed to the new law. "Here it is, word for word," said he, "and it seems to me like enacting a guarantee that the abuses of the past will be perpetuated in the future." He voted no on the amendment.

Nothing of interest in the talk on explaining votes was heard until Senator Reynolds's name was reached. He said: "Heing in favor of a ingle-headed Commission, I vote no."

This was expected, and the real interest was in the name of Senator Stapleton. He made quite a speech, saying: "The other day I feit compelled, in justice to myself and the people I represent, to seek to procure delay in the passage of these bills. The object, as I stated publicly, was to allow for proper, therough, and more deliberate consideration of some of their fujures. The result as shown that day and again to-day justifies the position I then took. I will support this amendment, but not as committing, or intending to commit, myself to vote for the passage of the bills, nor to indicate my course in any particular. I believe the amendment is in the interest of good government and the right direction. I believe also that there are many other amendments necessary before this measure will find myself in the position of 'Doesticks,' who said that if he could not get the girl he wanted for a wife he would take her sister. So I may have to be satisfied with the legislative sister of the bill I would like to get a chance to vote for."

Senator Stapleton also expressed himself as corry that the Mayor of New York could not be authoritatively quoted on the measure, as the matter read by Senator Lexow might put him in an equivocal position before the Senate. He was also sorry that the Senator had felt compelied to send such an answer as he had made on the fl

tests like that were not necess by the Lawrence of the day to do the spectacular. He was quick to seize upon it. He threw himself with all of his customary keen enjoyment into the task of giving Stapleton a rasping and displaying himself before the large audience. He was not very clear when he referred to Stapleton's statements as remarkable, but he managed to work up considerable vigor in voice and action as he faced around toward Stapleton's seat and unloaded some rather general denunciation at him.

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The vote was announced very quickly after this. It was 17 to 14, and though there is nothing certain in this world, especially in the world of legislation and politics, it is believed that the end of the fuss over the so-called Lexow bills is all over.

The next amendment was the one giving accused police officers the right to be repre-sented by counsel and not interfering with their rights under the present law to an appeal or review of findings against them. This was not opposed anywhere and was adopted by a viva voce vote.

There were no amendments for the Reorganviva voce vote.

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ization bill, but it was laid over so as to be considered with the other when it shall be reprinted and ready for passage.

Senator Reynolds was speedily made to feel the bitterness of the resentment held by his Republican collearues against him on account of his having broken away from them on this question. He rose to a question of privilege on some newspaper comments that he took exception to. Licut.-Gov. Saxton, with elaborate politieness, explained that he was not in order unless unanimous consent was accorded to him. Leader O'Connor tardily grasped the situation, and made the objection that the Chair was fishing for. The Brooklynite sat wearly down. If he has any pet bills on the legislative road, he might as well understand that they will find all of the stumbling blocks in their way that ingenuity can devise for them.

On the strength of a telegram from Richard Watson Gilder of the New York City Tenement House Commission, Senator O'Connor called up and the Senate passed Mr. Ainsworth's bill providing for additional parks, schools, and muni-

House Commission, Senator O'Connor called up and the Senate passed Mr. Alasworth's bill providing for additional parks, schools, and municipal baths in New York city; also, providing for schoolhouse playgrounds. These are two of the bills prepared by the New York City Tenement House Commission.

The Assembly opened business with a house so light that Senator Guy, who strolled in thought the session had not begun, and stood around with Lis hat on till the Speaker called down from the desk for him to take it off. Leader Alasworth undertook to put the Governor right with the Committee on Ways and Means on the Executive stable question, and rose to a question of privilege on it. He would better have left it alone, as Mr. Foley, Mr. Hennessy, and Mr. Howe all had a word to say about it. Mr. Alasworth represented the Governor as anxious to have the appropriation for that purpose held up so that he would not have to veto it, with the appearance of thus seeking to make capital out of the opposition to his own personal interest, or to sign it and be accused of a selfish motive. The other members of the committee had understood that the Governor believed in the appropriation without any reference to his personal interest, but as a general need for Governors to come. Mr. Conkling was the only exception to this, and he had the great foresight to suggest that the next Governor might not own any horses. There may be some relation between this opinion and the fact that Mr. Conkling does not possess any horses.

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The Ainsworth bill to regulate assessments and to provide for home rule in taxation took two hours of the session. Mr. Ainsworth pleaded for the bill, as he is very anxious to have so important a measure go on the statute books coupled with his name. The house was strongly opposed to it, however, and it was defeated by a vote of 47 to 50. Speaker Fish was one of the opponents, and came down on the floor to fight it. This is one of the many occasions which he has taken to go against the leader on his side, and it looks more and more as though he had made a combination with O'Grady and Nixon against Ainsworth. Mr. Ainsworth got even a little bit by classing the Speaker among the very rich men who are opposed to the bill because they want to evade their share of taxation.

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The Assembly Committee on Public Education had an executive session this afternoon, at which the two New York school bills were considered. The differences existing between the Pavey bill, which seeks to abolish the trustee system, and the Bell bill, which would retain the trustees for the sake of the patronage they represent if nothing more, proved irreconcillable, and the committee gave up the attempt to report either. Before adjourning, however, a sub-committee, consisting of Assemblymen Horton of Wayne, Whilox of Cayuga and Pavev of New York, was appointed to go to New York, and, after consultation with certain parties, report a substitute bill, built on compromise lines, to be reported to the House as the committee's bill. This aub-committee will meet at 9 A. M. tomorrow in the Hotel Metropole.

Senator O'Connor said this afternoon: "The Police Magistrates bill will be taken up by the Senate Judiciary Committee next Thursday afternoon, and a hearing, which shall be final, given."

given."
A bill will be introduced to-morrow by Senator Cantor and by Assemblyman Wilks giving power to the Common Council of New York city, should the occasion require, to investigate any city department or official
Hills were passed in the Senate as follows:

Billis were passed in the Sonate as follows:
Senator Rice's, extending the time for the completion of the New York Canadian l'actic railway.

Mr. Adier's, providing for the payment of last fall's
election officers in Sew York elst.

Mr. Hockwell's, to prevent burning of soft coal in
Srookly, factories.
Senator Robertson's, relative to relief in cases of
touble assessment. couble assessment.
Senator Guy's, authorizing award of damages for changing the grade of 1431 street in New York city.
Mr. Abell's, authorizing payment of Brooklyn bonds n gold.

in gold.
Senator Owens, legalizing a payment made to J. W.
Birkett by Kings county.
Mr. Scanlon's, relative to repairing Brooklyn streets.
Senator Child's a providing for the erection of the
Jamaica Normal School.
Hr. Lounsbery's, appropriating \$75,000 for the New
Paitz Normal School.

These bills were passed in the Assembiv: hir. Wray's, for the additional issue by Kings county of park improvement bonds.

Mr. Hamilton's, relating to the effect of deeds on Mr. Hamilton's relating to the effect of deeds on the rights of others.

Mr. Alnaworth's placing joint stock companies un-der the Comptroller's supervision.

Mr. Hamilton's providing for the manner of incor-poration of railroads.

Mr. Norton's sutherizing the Troy and West Troy Bridge Company to issue \$200,000 bonds.

Mr. F. Y. Schul.'s to provide for the payment of the

expense of the building by Brooklyn of a pier at Korth Second street.
Mr. Foley's Mary Bates relief bill.
Mr. Boalon's exempting Liberty avenue, in Brooklyn, from railroads without the consent of property owners.

rhers. Mr. F. F. Schulz's, fixing salaries of Police Sergeants Mr. F. P. Schola's, fixing salaries of Police certains in Brooklyn.
Mr. H. Schulz's, authorising the Brooklyn Park Commissioner to make certain changes.
Mr. Scanion's, permitting trial by jury for violation of rity ordinances in Brooklyn.
Mr. Audetta, extending the time for the collection of the see in Brooklyn.
Mr. Scanion of the Superintendent of Public Works before a street in Brooklyn can be opened.
Mr. Goodsell's, for the division of wards in New Br. Goodsell's, for the division of wards in New Br. burgh.

Mr. McNaughton's, amending the charter of Saratoga
Springs by authorizing the election of a President by

Those bills were introduced: Those bills were introduced:

Senator Coggeshall—Providing for the allowance of Interest in the Board of Claims and on awards heretofore made for the breach of a writen contract.

3r. Reynolds—Appropriating \$100,000 feer repairing and improving the Brooklyn City Hall.

Nemator Sulfin—Prohibiting a street railway from laving tracks in streets occupied by another railroad without its consent, except for 1,000 feet, unless it he a cable or electric single-track road.

Senator Cantor—Providing for grading the top of the Croton aqueduct so that it can be used for bleveles. Sanator McMahon—Providing for eight Assistant District Attorneys for New York city at \$7,500 yearly.

Senator Owens—Providing for the sorting and indexing of papers in the office of the Clerk of Kings cointy. ounty. Mr. Keck Exempting veterans of the late war from

Sir. Keck—Exempting veterans of the late war from jury duty.

Sir. O'Grady—Empowering the Governor to appoint three members of the isor to examine and report upon a revision of the Code of Civil Proc.dure.

Rir. F. B. is huiz—For assorting the papers in the Kings County Clerk's office.

Mir. J. N. Stewart—For the construction of a system of sewerage in West Chester outside Williamsuridge limits.

Mir. Campbell—itequiring ferry companies to report annually to the Secretary of State a statement of financial transactions, including net profits.

annually to the Secretary of State a statement of financial transactions, including net profits.

President Jeroloman and a delegation of the New York city Board of Aidermen appeared before the Senate Committee on Railroads this afternoon and opposed the bill introduced by Senator Rice exempting Brook and other avenues in the annexed district from street railways. They also opposed Senator Guy's bill exempting St. Nicholas avenue. President Jeroloman asserted that the Rice bill is in the linterest of the Huckleberry road, and that both bills are intended to interfere with the action of the Board of Aidermen, who have had several hearings on these matters and are thoroughly informed as to the wishes of the people concerning the occupancy of the streets. The People's Traction Company and others have petitioned for permission to extend their lines in the Twenty-fourth wards. He believed such permits ought to be left with the Aidermen, and that the Board should not be hampered by legislative action. It was agreed to send the Rice bill back to the committee and to have a hearing next Wednesday.

SIGNED BY THE GOVERNOR.

A New Law Regarding the Discharge the Insane from State Hospitals.

ALBANY, March 28.-Gov. Morton signed to day one of the most important acts of the session, relating to the discharge of the insane from the State hospitals, a measure recommended by the State Commission in Lunacy. Heretofore it has been exceedingly difficult to procure the discharge of a patient upless the superintendent was willing to certify that he was absolutely harmless, which generally he would be unwilling to do, as it is difficult to say that any insane person is harmless. No patient could be otherwise discharged unless he was absolutely recovered, or his friends or relatives were willing to give a bond to insure his maintenance outside the instituion and guarantee that he would be harmless. The new statute provides that the managers may discharge a patient when the public interest will not be injuriously affected, and if they decline to do so a Judge of a court of record may discharge the patient; but in order that the public may be fully protected, the superintendent must be heard and the nation's history read before such action can be taken. This law will fully protect the public, and will enable a large number of quiet and inoffensive lunatics to return to their homes and friends to remain as long as their condition justifies it.

The Governor has also signed these bills:
Chanter 171-Senator Kilburg's bill smending the

The Governor has also signed these bills:
Chapter 171-Senator Kilburn's bill amending the
Revised Statutes relative to dowers.
Chapter 172-Senator O'Connor's bill amending the
State Care act relative to the direlarge of patients.
Chapter 173-Providing for a county auditor in
Frie county at a salary of \$2.500.
Chapter 174-Increasing the salary of the Eric
county Supervisors from \$400 to \$500, the same to be
payable monthly.
Chapter 173-Relative to proceedings in the voluntary dissolution of corporations.
Chapter 174-Appropriating \$2,000 for lengthening
a cuivert at Waterford.
Chapter 177-Providing that stenographers appointed
in the Supreme Court shall be residents of the
judicial district in which they are appointed.
The Governor has signed Senator O'Connor's
bill authorizing foreign insurance companies to
guarantee the bonds of persons holding places of
public or private trust in this State. This bill is
mainly in the interest of the Fidelity and Deposit Company of Haltimore. In approving the
bill, Gov, Morton filed a memorandum, in which
he says:
"Objection is made to this bill that it should

bill, Gov. Morton filed a memorandum, in which he says:

"Objection is made to this bill that it should only permit business to be done here by corporations organized under the laws of those States which permit equal privileges to New York corporations. Our insurance law now contains provisions for reciprocal requirements to far as concern depositing securities, or for the payment of taxes, fines, or penalties, or certificates of authority or license fees, and directs the Superintendent of Insurance, in the case of foreign corporations, to require the same deposit and the payment of an amount for taxes, &c., equal to the amount of such charges and payments imposed by the lawsof such other State upon the insurance corporations of this State. Whether any other State will permit a New York Whether any other State will permit a New York corporation to do business within its territory upon an equal basis with its own corporations is a matter of State policy. In general, this State has granted equal privileges to all corporations, whether domestic or foreign, and it seems to me that in this instance, instead of requiring other States to first enact laws to admit our corporations to equal privileges, it is wiser to continue the general policy and permit foreign corporations of the class indicated in this bill to do business here without discrimination against any State."

HOEBER'S TWO OFFICES.

A Coroner, the Corporation Counsel Says, Is Not a City Officer,

Comptroller Fitch has notified Coroner Emil W. Hoeber that he is in doubt as to the pro-priety of paying the Coroner's salary for March. due March 31, because of the two offices the Coroner holds. Dr. Hoeber is an examining surgeon in the United States Pension Bureau and the Comptroller thinks this may operate to vacate his Coronership. Section 55 of the Consolidation act provides that any person holding office, whether by election or appointment, who snall during his term of office accept or retain any other civil office of honor, trust, or emolument under the Government of the United States or of the State, or shall hold or accept any office connected with the government of the city of New York, or who shall accept a seat in the Legislature, shall be deemed to have thereby vacated every office held by him under the City Government. Mr. Fitch advised the Coroner to see the Corporation Counsel about it.

§[Corporation Counsel Scott said yesterday that he did not think Coroner Hoeber had asked him for a written opinion, but that he might have conferred with him verbally.

"If so," he said, "I probably told him that the Coronership was a county office, and apparently did not come under the provisions of section 55. When the matter is brought before me officially I shall givelt my careful attention. Ido not care to discuss it any further in the meantime." dation act provides that any person holding

PEACE AND UNITY CONVENTION.

Representatives of the White People in South Carolina Get Together. COLUMBIA, S. C., March 28, -The Peace and ferences of the white people of the State and choosing delegates to the Constitutional Convention, thus preserving white supremacy, was held in this city yesterday. Nearly every county was represented. Lieut.-Gov. Timmerman presided. The proceedings of the Convention, despite the fact that there were men in the hall represent-

fact that there were men in the hall representing every faction of the white people, men who
have been using the harshest language toward
each other for five years, ever since Tiliman began his upheaval, were characterized by good
feeling. The platform said:
"We recommend that in the election of
delegates to the Constitutional Convention only
men of prudence and patriotism be chosen, and
that they be divided equally between the factions as heretoforeexisting as far as practicable;
when equal division is impossible, that such fair
division be made as will best subserve the great
purpose of securing white unity and a nonpartisian Constitution."

Higgins Men Scatter Again.

DOVER, Del., March 28. Two ballots for nited States Senator were taken to-day in the Legislature, and the experiment of breaking way from Higgins was again tried, some of the Higgins men voting for Charles F. Richards of Sussex county.

The first ballot resulted: Higgins, Rep., 7;
Addicks, Rep., 5; Massey, Rep., 4; Richards,
Rep., 2; Ridgley, Dem., 7; Martin, Dem., 1;
absent, 3. On the second ballot Higgins received 2, Addicks 5, Massey 4, Richards 6,
Ridgley 7, Martin 1, and 3 were absent.

" Pike's Peak or Bust !"

NEW JERSEY'S INVESTIGATORS LOOK INTO PAINTING RILLS.

Again a Partner Is Missing, Likewise a Jobbing Book Which Contains the Firm's Transactions with the State-PrettyGood Prices for Paint-Young Leon Abbett's Perquisites Under His Father.

THENTON, March 28.-The session of the Senate Investigating Committee to-day developed another missing partner and the important book needed by the committee. There was also testimony involving Leon Abbett, Jr., who was private secretary to the late ex-Gov. Abbett during the latter's last term, and showing that ex-Superintendent Ford had received at one time \$414 of the State's money for which he had never accounted. These were the important developments. Afterward the committee adjourned until next Friday, the understanding being that if no other important matters were brought to its attention during the interval the investigation at the Capitol would be finished, Senator Voorhees said the committee would seek a new field, but declined to name the locality for fear that there would be another disappearance of needed witnesses.

The principal part of to-day's inquiry con-

cerned the painting of the Capitol building during the years from 1889 to 1893, for which the State paid to Hugh Kinnard & Go. of Newark \$13,784.20.

Mr. Kinnard identified the bills rendered and checks received, and testified that he had been asked to submit an estimate. Later, Superintendent Ford interfered, and it was decided to have the work done by the day. There was no contract with the Capitol Commission, Kinnard's partner, Merrick Martin, had fixed the prices, while Kinnard supervised the work.

Mr. Kinnard brought his books before the committee, and it was discovered that the Jobbing book, which contained a detailed account of the firm's transactions with the State, was missing. Kinnard discovered the loss only last night, when he got his books together to bring to Trenton. He said his partner, Martin, had charge of all the books, but Martin had disanpeared from Newark last November and nothing had been heard of him since. He had made no settlement of the firm's business before going away.

Senator Skirm thought it singular that in every case inquired into there should be a missing partner, who was the only person possessing knowledge of the transactions, and that in every case the important books were also missing. He questioned Mr. Kinnard closely. but the latter's answers appeared to be truthful. and the committeemen were satisfied that in this case the missing partner was the only person having the information they wanted. Kinnard promised to make further search for the obbing book and to send it to Counsellor Corbin

Jobbing book and to send it to Counsellor Corbin if found.

Henry J. Bennett of Trenton, a master painter of litty years' experience, testified that he had done work at the Capitol and gave the prices. He had gone all over the building, had made measurements and estimates, and thought the prices paid to Kinnard & Co. were excessive. For what Kinnard had been paid \$9.24 Hennett would have charged but \$7,650. That, he said, would have given him ninety per cent, profit. More than a thousand pounds of white lead and mixed paints had been paid for at lifteen cents a pound, which Bennett said cost but six cents a pound.

For mainting the exterior of the Capitol and

For painting the exterior of the Capitol and the smoke stack of the boller house Kinnard had been paid \$1.434.95 for two coats of paint. Bennett said he had put on three coats when the work was new, and had been paid \$808.

"I see by this bill that Kinnard & Co. charged for 2,593 pounds of paint for that work; could

for 2,093 pounds of paint for that work; could all that have been used?" inquired Counsellor They couldn't have put it on with a brush," lied Benney. "They might have put it on

They couldn't have put it on with a brush," replied Bennet. "They might have put it on with a trowel."

L. A. Berod, a fresco painter, said that the actual cost of decorative work for which Kinnard had been paid \$2,916 was \$1,923, and he had offered to do it for \$1,200. Decorators and grainers were paid \$4,50 per day when the current prices were \$3 and \$2,25 per day. The prices paid for colors were from \$0 to 100 per cent, above the cost, and 20-cent picture moulding had been charged for at co3 ents.

In a discussion among the committeemen it was stated that there had been no power to authorize this work except in the Legislature, and Senator Daly added that the State Comptroller and Tressurer had no right to pay the bills. He again brought out the fact that Major Anderson and John J. Toffey, both Republicans, had approved some of them.

Executive Clerk Edward D. Fox was called to testify that the State paid for two telenhouses in the Executive chamber and for stenographer's services, although the State was at the same time paying from \$250 to \$300 a month to a regular stenographer, who was on duty only a part of the time. Counsellor Corbin read schedules of bills from the Treasurer's annual reports showing that the average cost of postage stamps and other incidentals during Gov. Circen's three years term was \$501, and during the two years of Gov. Wert's term, \$498. During Gov. Abbett's term, when Leon Abbett, Jr., was private secretary, the postage stamps cost \$609. In 1890, \$692 in 1890, 600 fin 1891, and \$600 in 1802, or an average of \$847. In addition to the

the two years of Gov. Wert's term, \$498. During Gov. Abbett's term, when Leon Abbett. 3r., was private secretary, the postage stamps cost \$692 in 1890, \$892 in 1890, \$490 in 1892, or an average of \$847. In addition to these sums there were incidental expenses, including gleiphone and steedgraphic service, averaging \$1.367 a year more.

Mr. Corbin said that during Gov. Abbett's term the latter's son had presented bills, without itemization, for travelling expenses, stengarapher's fees, and use of telephone, and that they had been approved by the Governor. In 1890 young Abbett drew from the State Treasury \$2.000 for salary, \$515 for incidentals, and \$213 as counsel to the Dairy Commissioner: a total of \$2.728. In 1891, beside his salary as Private Secretary, he received \$1,000 for incidentals, \$90 for services in the rebuilding of the Assembly Chamber, and \$1,515 as counsel to the Dairy Commissioner: a total of \$4,614. In 1892 he received \$2,000 salary, \$2.337 for incidental expenses, \$75 for work on the Assembly Chamber to the Sinking Fund Commission, and \$1,205 as counsel to the Dairy Commissioner: a total of \$6,155.88. For the three years the total was \$13,697.88.

All the official papers in Gov. Abbett's and Superintendent Ford's offices had been removed. Mr. Corbin said, so there was nothing to show what had been received from the sale of old furniture, except three items in the Treasurer's report, amounting to \$3,874.30.

There was nothing to show what made up the amounts, the moneys having been kept by Ford and turned in at the end of the fiscal year.

John Connell, an employee at the Capitol, testified that he acted as clerk at a sale of furniture in December, 1893, at which the receipts were \$414.05. Connell collected this and paid tower to Ford. He had menoranda of the sale, but in the January before the investigating committee was appointed Ford bad asked for it, and Connell had sent it to him. Counsellor Corbin and there was nothing to show that this sum had been paid into the treasury. There was no a

Mr. Corbin then made a statement summariz-Mr. Corbin then made a statement summarizing the testimony concerning the heating and ventilating, which he said cost \$25,898,73 for the Assembly chamber and \$21,625 for the Senate Chamber, or a total of \$47,521,73. Henry A. Gouge of New York, the President of the company that did the work, had come to Trenton to offer himself as a winess, but he had nothing to tell that differed from the statements of Architect Moylan except that there had been plans made for the work. The contract requested a guarantee from the company that the apparatus should work satisfactorily, but the testimony showed that it did not.

Mr. Corbin said that on next Friday he would finish up the matter of heating, ventilating, and formishing supplies to the Capitol. A large number of smaller matters had been brought to his attention, but he did not think it advisable to go into them, as it was difficult to procure the evidence needed.

Kolb Goes to Ohio Electioneering.

BIRMINGHAM, Ala., March 28.-Capt. Reuben Kolb, who was the candidate of the Populists for Governor of Alabama, left to-day for Canton, O., where he will make a speech in favor of the Populists, who expect to carry the municipal election there on Monday. In an interview before leaving Kolb said he would speak for free sliver. He also said he would support Stilley of Pennsylvania for the Presidency if the Populists would nominate him.

Republican City Surveyors Grumble City surveyors, who are Republicans in politics complain that the same men who used to get the cream of the work under Tammany Hall administrations are still being detailed to such work as arises, and they charge their grievance to the account of Chief Clerk Clifford and Superintendent Dean of the Bureau of Street Improvements in the Department of Public Works.

OFFICES, OFFICES, OFFICES. Mayor Strong May Appoint Two Charitles Commissioners Next Week,

It was said yesterday that Mayor Strong has at last determined to name two Commissioners of Charities and Correction, and that he will do so next week. The two men named then will take the places of Commissioners Sheeby and Commissioner Porter who is a brother-in-law of Col. George Bliss, will, it is understood, be permitted to serve out his term, which will expire on May 1, 1806, unless the Pavey bill passes, when he will be out of a job, and the two Republicans will be appointed, respectively, one the head of the new Department of Char-ities and the other the head of the Department of Correction, which would be created by that

measure. Killaen Van Rensselaer, it was said vesterday, may be one of the Commissioners to be appointed. The Mayor put himself on record vesterday against appointing another Republican on the Dock Board. A committee of Twentieth dis-

against appointing another Republican on the Dock Board. A committee of Twentieth district Republicans called to ask that he appoint Peter J. Carpenter.

"There are two Republicans in the Board now, boys," said the Mayor. "I've got to appoint a Democrat to watch them. Remember that I was elected as a non-partisan."

A very disagreeable surprise has been given to the itepublican bone hunters who have been snuffing around the Dock Department offices in search of nice bits of patronage for themselves or their constituents. As is the case in all other departments of the municipal service, Godkin, Wheeler & Co. of the Civil Service Board control most of the good bits of patronage in the Dock Department under their rules. There are, however, thirteen dockmasters at salaries of \$2.100. Dockmasters collect money and give bonds for the faithful performance of their duty. They are, therefore, not classified in the competitive lists, and it is these good places that the hungry Republicans have been hunting for ever since the majority of the Bock Board became Republican. The surprise and disappointment of these place-hunters arises from the fact that so many veterans of the war have been lodged in these places by Tammany Hall. You can't dismiss a veteran on the ground that he is a Tammany man, Several of the dockmasters were veterans prior to March 1. After that date three more were appointed, so as to keep as many places as possible out of Republican hands.

The new Tammany dockmasters are Thomas Bradly of 204 Henry street, in place of Joseph F. Mechan, resigned; Thomas E. Booth of the Twenty-sixth Assembly district, in place of Edward L. Carey, resigned.

Willam J. Flynn a Twenty-third district Republican, has been appointed a keeper in Lud.

Moore of the Eighth district, in place of Edward L. Carey, resigned.

William J. Flynn, a Twenty-third district Republican, has been appointed a keeper in Ludiow street jail at a salary of \$1,000.

Corporation Counsel Scott has appointed George L. Rauch of the Twenty-eighth Assembly district and Thomas J. Radley of the Fifteenth, Grace Democrats, computers in the Burreau of Street Openings, at a salary of \$750. The salary of H. De Forest Baliwin, Assistant Corporation Counsel, has been fixed at \$5,000.

M'KINEY'S SOUTHERN HUNT.

A Delegation of Fiorlila Negroes Declare for Him for President.

JACKSONVILLE, Fla., March 28. - Gov. McKin ley of Ohio is not trying to build up a white Re publican party in the South. On the contrary all the efforts of his early campaign skirmishers is to encourage the negro and keep him in the fold and in line with the national party organization. Joseph E. Lee, the negro Secretary of the Republican State Committee, had Gen. Osborne of Boston, Chairman Eagan, and National Committeeman Long closeted in his office this morning. Then Lee called on McKinley at the latter's room in the St. James Hotel, and an hour later a delegation of twenty negro citizens was received by McKinley in his room. An informal address of welcome was delivered by one of the negroes, and the conference lasted nearly

M. J. Christopher, manager of the Florida

SENATOR FRYE PROPHESIES.

With Ten Years of Republican Rule He Tells What Will Happen. BRIDGEPORT, March 28. At the Republican banquet here to-night Senator Frye of Maine

drifted into prophecy and said: "Give us Republican rule for a single decade, unlimited, uncrippled power, and we will show the people the beneficence of Republican legislation. We will lift the bankrupt Treasury to the light of profusion and repletion, and will raise sufficient revenue without an edious income tax. We will restore confidence and inspire courage, and there will start spindles and water wheels. spire courage, and there will start spinules and water wheels.

"Every man who wants work will have it, and at the wages of the crowning year of Republican rule, 1892. We will place our rlag on all the seas of the earth, restore the merchant marine to its place, and will increase our white, strong-armed squadrons so that they command the respect of all nations. We will annex the Hawalian Islands, fortify Pearl Harbor, build the Nicaragua Canal, and marry two great occans. We will show jeeple a foreign policy that is American in every fibre and host the American flag on whatever island we think best, and no hand shall ever pull it down."

THE BROOKLYN LIBRARY. President Morgan Delivers His Annual Report.

hand shall ever pull it down.

The annual report of Mr. James L. Morgan, Jr., President of the Brooklyn Library, was pre-sented yesterday evening to the members of the library. These are a few of the statistics given: Number of volumes added to the collection during the year, 3,974; amount expended for books, \$4,042.12; number of volumes now in the library, 120,064; volumes bound and repaired during year, 1,058. The library has received from 366 donors, 509 volumes, 1,007 pamphlets, and 3,135 numbers of periodicals, pamphiets, and 3,135 numbers of periodicals, bulletins, and transactions of societies. There were taken from the library for home reading 80,525 volumes. A bulletin of additions was published in December, and a new and completely revised edition of the catalogue of English procedition was printed in August, 1894. The Sunday attendance in the reading rooms was 2,200. The membership on March 1 was 2,609.

Since the last report extensive alterations Since the last report extensive alterations have been made by replacing the wooden timbers throughout the interior of the building with columns and girders of steel. The entire cost of alterations amounted to \$13,441.17. The book delivery room is now located on the first floor, and the reading and reference rooms on the second floor. Total receipts during the year from all sources, \$18,459.76.

Little David Fox Radly Bitten by a Big A big dog owned by William Wart of Hender-

son and Fourth streets, Jersey City, attacked David Fox, 6 years old, yesterday and injured him severely. The boy, who is a son of Joseph Fox, was playing in front of his house, 168 Fourth street. A policeman made a demand upon the owner for the dog so that he could be shot, but Wart said he had sent him away. Police Justics Potts issued a warrant for Wart's arrest, and he will be compelled to produce the dog. The boy's wounds were cauterized.

Execution Against Tekulsky. Deputy Sheriff Butler received yesterday an execution against Morris and Nathan Tekulsky, for \$375 in favor of the Budweiser Brewing Company, on a judgment recovered in Brooklyn.
The Sheriff paid a visit to Morris Tekulaky's asloon at 113 Fark row, but found the place closed. Mr. Tekulaky announced a few days ago that he was going to give up the business.

Birch Bedroom Furniture Flint's, West 23d st., is unusually attractive.

SCOTT FOSTER ASSAULTED.

PRESIDENT OF THE PEOPLE'S BANK WATLAID BY HIS BROTHER

At the Foot of the Elevated Rallway Station Stairs at South Fifth Avenue and Grand Street - His Assallant, Who Is Evidently Insane, Mokes Wild Accoentions in Court Against Mr. Foster.

President Scott Coster of the People's Bank vas assaulted yesterday morning by his brother, William Wisner Foster. He left his home, 332 West Seventy-second street, about 8:30 o'clock. Shortly after 9 o'clock he came down the steps of the elevated railroad at Grand street and South Fifth avenue. Just as he reached the sidewalk his brother William sprang from be neath the stairs, where he had evidently been in waiting, and, before Mr. Foster could protect himself, a heavy walking cane in the bands of his brother descended upon his head.

The blow knocked the bank President to the ground. As he fell he gave a cry for help. Jumping over the prostrate form of his brother, William Foster raised his stick again and brought it down on the head of the bank President. Mr. Foster was unconscious by this time, and could make no resistance. His brother kept on beating him. No one in the crowd of persons who had left the elevated train at Grand street offered any assistance to the fallen man, but all



Their united shouts attracted Roundsman Drainaud of the Macdougal street station, who came upon the scene just as the infurlated brother had broken his cane over Mr. Foster's body. The policeman grabbed William Foster and blew his whistie for assistance. Two other policemen responded. They took charge of the prisoner while the roundsman lifted Mr. Foster By rubbing and chafing his hands and face Mr.

Foster was brought back to consciousness, and, leaning heavily on the roundsman's arm, was finally able to walk to the Macdougal street police station. William Foster was already in the

an hour.

M. J. Christopher, manager of the Florida Timber Company, was spokesman for the delegation. After a formal introduction to the tovernor, he read a prepared speech highly enlogistic of McKinley's career and public services, and piedging him the cordial and undivided support of the intelligent negro voters of Florida in his contest for the Presidential nomination. Then each member of the delegation was presented, and all in turn congratulated the Governor most heartily on the outlook of his success, and recommended the manly stand taken by him on all public measures while in Congress and his record as tovernor of Ohio, Gov. McKinley was highly pleased when told that every negro before him was either a business or a professional man, and made a few ramarks upon the progress of the race, referring to the late Frederick Bouglass.

The conference appeared to have been highly satisfactory on both sides. The negro Republicans of Florida are an important factor in politics here and the "Lily White" Republicans, who sneer at Long and Fagan because these menderive their standing in the party organization largely from negro support, will not be able to read the black man out of the party. Most of those who criticise them are actuated by jealousy because they cannot handle the negroes for their own purposes.

At 11:30 o'clock a special committee of the Board of Trade, consisting of P. E. McMurray, Col. H. Bisbee, Major W. J. Harkishelmer, R. D. Knight, C. H. Smith, P. Walter, and Col. F. R. Osborne, took took, McKinley for a drive around the city, and at 12:40 P. M. the Governor was taken to the Terminal station, where he boarded the train to go to St. Augustine. He will remain about a day there and then go to Savannah. While in St. Augustine the McKinley party will be the guests of H. M. Flagler.

SENATOR FRYE PROPHESIES.

"I haven't got a thing to say your Honor." said the prisoner, "except that I did it." Justice Simms held the prisoner without ball for examination to-day. As Foster was being led back to the prison, he stopped to talk to a crowd of reporters. Without being questioned he said:
"It is a good thing that the police Interfered with me or I would have killed that fellow. For two years I have followed him, but I've never been able to come face to face with him. Would to God that I had killed him. I last saw my brother Iwo years ago, when they read my poor father's will, and robbed me not only of my birthright, but of all earthly possessions. They drove me out to become a wanderer, with no place in which to lay my weary head. Have I not reason to be bitter against the human race and against the Being who gave me life? Twenty years ago they turned me from my father's home. I peddled from door to door, waiting for revenge. Oh! why could I not kill nim when I found him at last! When my father died he left me \$60,000, but my brother fixed the will and only gave me \$1,000. Then he said that I was insane, because he had cheated me out of my inheritance. When I started in business, Scott Foster sold me out. I have been hounded like a dog."

He took two letters from his pocket and handed them to the reporters. One letter was written two years ago, and read in part:

Morphics: When 10 1 left home. At 30 I was busying, slek and wasted to a skeleton. The doctors told me that I would die, alone, feeble, and penniless. A borde of dictatorial beaats followed me. "Go West," they said, but I refused. For twenty years went from door to door. And yet I was not mad. For twenty years you've followed that menster's lead-\$cott foster—whose piraitial hand has been upon my throat. You have been a suske in the grass. You would no maked savages of the South Sea Islands. You are a disgrace to motherbood and womankind. I'll dhe as I heed, an atheist, naturalist. I want my name blotted out. Curse the Foster hunder.

Til die as! lived, an atheis, naturalist, want my name blotted out. Curse the Fosicratics.

This was the name which had been adopted by Foster. The second letter was addressed to his son, William W. Foster of Fort Wayne, Ind. It is a bitter denunciation of his brother, repeating the stories of robbery and brutality, Unit a year and Foster lived with the Brittan family at 115 West Twenty-eighth street.

Yesterday afternoon Mr. Brittan was seen by a reporter. He said that Foster had lived with them for eight years. His actions, Mr. Brittan said, were at times queer. He cited as an instance that Foster would invariably stick his head out of his window when a peddler passed through the street and mimic him. Another diversion of Foster's was to advertise every day in the papers for a wife.

Foster is 551 years old, and, as he says, has been a peddler for the past twenty years. About twenty-three years and head out advorce from his wife, and since that time has been trying to get another one. He has been living recently in a boarding house at 550 Seventh avenue.

At the People's Bank it is generally known that Mr. Foster has been a hisance that time.

Mr. Foster has been a director of the People's Bank for ever twenty years. He was elected President of the bank in 1884, having served as Vice-President before that time. He has thee sons and a aughter. At his home it is said he will soon recover from his experience of yeaterday morning. Whether he will prosecute his brother for assault or simply have him committed to an asylum could not be learned.

Roston's Subway Begun.

Boston, March 28 .- Chairman Crocker of the Boston Transit Committee officially started the work on Boston's subway this morning turning the first shoveful of earth just inside turning the first shoveful of earth just inside the Charles street cate of the public garden. The ceremony had not been advertised, and there were not more than 500 or 500 persons on hand. Gov. tireenhalps, with a few words, handed the shovel to Chairman Crocker, who, after a very brief response, broke the ground for the undertaking. Before moon a force of men and horses were at work, and the digeting of the subway was well under way.

\$10,000 to Salve a Dog-bite

On St. Patrick's Day Harry W. Seymour went into the saloon of Charles F. McKean, at 246 Bowery. McKeau's buildog, so Seymour says. made for him and bit off a part of his nose. Now Seymour wants \$10,000 damages, and in the City Court yesterday Judge Newburger gave him leave to sue as a poor person.

ENGLISH AND AMERICAN STOMACHS.

"I'll tell you what, Mr. Secretary of Legation, take half the time to eat that you take to drawl out your words, chew your food haif as much as you do your tobacco, and you'll be well in a month. I never saw a Yankee yet that didn't bolt his food whole, like a boa constrictor."

An American official, suffering from dyspepsis, consulted the great Dr. Abernethy on the subject, and that's what the Doctor said to him. Many years ago that was. But there was some truth in it then; and our English critics say there's truth in it now. Still, we can hit back; for the leading English physicians of to-day, from Dr. Fothergill to Dr. Nathaniel Edward Yorke-Davies, are writing books to teach the English people how to cure dyspepsia and to keep from dying of the gout-one of its consequences. Now, dyspepsia has two chief forms. Let's talk of them straight and short.

First, the atonic; that is weak digestion. In this the stomach lacks blood. Why? Because the blood (in plenty) can't be in two places at once. We Americans retain it in the brain, For we will work with our heads and nerves, you know, whether our stomachs like it or not. This makes the dyspepsia of the student, the business and professional man, the worried man, and the majority of women.

But we must eat. Ah, yes! So we throw food, often unsorted and in excess, into this weak, pale, flaccid, unwarmed stomach, and presently bring on the second stage of the trouble acute, inflammatory dyspepsia, or gastric catarrh, with symptoms and results which make life a

terror. Ask anybody who has it.
Even slow eating and much chewing won's answer now. The mischief is done. The stomach must have the distinct and direct help that lies only in the use of the Shaker Digestive Cordial, prepared by the Mt. Lebanon (N. Y.) Shakers, to meet this precise condition. In the way of a remedy it is a marvel. Containing the medicinal principles of rare mountain herbs, cultivated by these people, it allays pain, promotes a free flow of the gastric secretion, gives immediate relief, and works a radical cure. It is new in theory and in its mode of action.

A lady, who requests us to withhold her name for the present, says: "In the spring of 1888 I fell into a low, weak state. I was always tired and sleepy and much troubled with dizzy spells. In the morning I would have a fearfully bad taste in my mouth. My appetite failed, and after eating I had great pain and tightness of the chest. All I ate seemed to turn sour and rose in my throat as a burning acid. Cold, clammy sweats broke out all over me, leaving me quite exhausted. I got so weak I could barely walk about, and often when outdoors swooned and fell in the street. At times I thought I would go crazy with the pain in my head. For months I lived on milk, sago, and such things. At last I grew so feeble and wasted I could do no work. I was in the care of several physicians successively and took many mediines, with only transient benefit. Less than three months ago I began to use the Shaker Digestive Cordial, through the recommendation of a friend who knew the Shakers and believed in them. An improvement began at once-my appetite was better, my food digested and did me good. At this date (Feb. 15, 1895; I am well: can attend to my household duties and eat anything."

Trial bottles of the Cordial-enough to show its value ten cents. For sale by nearly all druggists .- Adr.

TO INDICT INSURANCE MEN.

Superintendent Pierce Says There Was Perjury by Equitable Mutual Fire Officers. James F. Pierce, Superintendent of the Insurince Department, will go to Albany to-day to lay the affairs of the Equitable Mutual Fire Inurance Company before the Attorney-General. On his return the attention of the Grand Jury will be called to the results of the examination, and two, and perhaps more, indictments are expected to follow. Superintendent Pierce explained yesterday the law of 1853, under which the Equitable Mutual was organized. This law provides that, like a stock company, the mutual company must have at least \$200,000 capital. This capital this law permits to be paid in in premiums for insurance, at least 20 per cent. in cash and the rest in notes. The responsibility of persons making these notes must be certified to by "a Justice of the Peace or Town Super-visor." In the country, where farm buildings are insured, that certificate may amount to something; but in this city, where there are no Justices of the Peace, "Supervisor" is translated into " Alderman," and an Alderman's certificate is all that is required to make the note go. In the case of the Equitable Mutual, the declaration and charter of the company having been approved by the Attorney-General, the next step to be taken under this law of 1853 was an examination by the State Superintend-

ent of Insurance to show that the capital stock had been paid in, as required. "This examination." Superintendent Pierce said yesterday, "showed that notes to the "This examination." Superintendent Pierce said yesterday, "showed that notes to the amount of \$1d0,000 had been given to the corporation in connection with bons fide applications for insurance. The company's officers by affidavit testified to the fact that there was on deposit in the Tradesmen's National Bank \$40,000, or 20 per cent of the entire capital required by law. They certified further that this deposit was the absolute property of the association and that it was free and clear of all liens.

"The examination has shown that in many instances the cash premium alleged to have

ciatton and that it was free and clear of all liens.

"The examination has shown that in many instances the cash premium alleged to have been paid has been returned by a reduction of the policy by one-fifth of its amount. Again, in many cases, the insurance, for which capital stock premiums were paid, was cancelled shortly after the organization of the corporation. The insurance Department could not but certify that the corporation was upon its organization in possession of a capital stock composed of \$160,000 in notes and \$40,000 in cash. The department was deceived as to the character of the assets, the deception consisting in false affidavite by officers of the company. It seems to me that was clearly perjury.

When asked if the law should not be repealed, Mr. Pierce said:

"Yes, at least as far as New York city and Brooklyn are concerned. It is only about a year since such companies were organized here. On the whole, I should repeal the law altogether."

It was learned yesterday that the American Surety Company had given a bond of \$25,000 for James R. Skinner & Co. to the Equitable. The "Co." of the firm of J. R. Skinner & Co. is Filliot L. Butier, who Expert Accountant Hopkins and in his report had borrowed \$10,52 of horrowed United States Government bonds, which had been used to pad out the corporation's assets. Butier is also connected with the Long Island Mutual Fire Insurance Company, and the Washington Mutual Company, Kingston; and also of the Hudson Fire Lloyds. The Long Island Mutual Company, has just been examined by a State examiner, but Superingeron; and also of the Hudson Fire Lloyds. The Long Island Mutual Company has just been examined by a State examiner, but Superingender Places and make a reëxamined by a State examiner, but Superingender of the said yeared at the light of what had occurred in the Equitable Mutual Company he should have a reëxamination made.

FLAGG'S HATS ATTACHED.

A New York Creditor of the Yonkers Manufacturer Gets Up Early.

Deputy Sheriff Henning received yesterday an attachment for \$1,531 against Howard Flagg, manufacturer of wool hats at Yonkers, which was obtained by Blumenstiel & Hirsch for David & Co. of this city, on the ground that Mr. Flagg is a non-resident of this city. Blumensited & Hirsch obtained the attachment at one minute after 9 o'clock yesterday morning, in order, they said, to get ahead of any other papers. The Sheriff served the attachment on two commission firms which have been selling Mr. Flagg's goods, to attach any equity Mr. Flagg may have in the goods over and above the advances made thereon, Mr. Flagg has been in business in Yonkers for eighteen years.

Borian to Pay Haif Damages for Sinking

In the Admiralty branch of the United States District Court Judge Addison Brown handed down a decision yesterday in the suit of John C. Montoel and others against the steamship Dorian for damages for the sinking of the schooner Clara E. Simpson in Long Island Sound on Dec. were drowned.

Judge Brown says that the testimony as to the

Judge Brown says that the testimony as to the collision was unsatisfactory to the tourt, and from the circumstances and probabilities of the case the Court is satisfied that the collision did not take place in the manner indicated by the witnesses on either side, but that for several minutes previously the vessels had been approaching head and head.

He rendered a decree for the libeliant for half the damages asked and the costs are to be disvided.